

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT APPLICATION**

I, Daniel DeAntonio, Special Agent of the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) assigned to the FBI Tucson Resident Agency, Tucson, Arizona. I have been a Special Agent since January, 2019. I am currently assigned to investigations involving crimes in Indian Country, which includes crimes involving firearms. I have investigated these types of crimes during my career with the FBI. The statements contained in this Affidavit are based on my experience and background as a Special Agent and on information provided by other FBI Agents and law enforcement agents.

**PURPOSE OF THE AFFIDAVIT**

2. I am submitting this affidavit in support of an application for the issuance of a search warrant authorizing Special Agents with the FBI to collect firearms, ammunition, and receipts of firearms or ammunition purchases. The residence and/or on the property to be searched is more fully described in Attachment A, which is incorporated to this affidavit by reference. The items to be seized and searched are more fully described in Attachment B, also incorporated to this affidavit by reference.
3. Based on the investigation, for the reasons set forth below, your affiant believes there is probable cause to believe that there is evidence inside the residence and/or on the property described in attachment A, related to a criminal investigation involving Assault with a Deadly Weapon, in violation of Title 18 United States Code § 113, Possession of a Firearm with an Obliterated Serial Number, in violation of Title 18 United States Code § 922(k), and Possession of an Unregistered Firearm, in violation of 26 United States Code § 5861(d), and conspiracies related to these violations.
4. The facts in this affidavit are based on my personal observations, training and experience, and information obtained from other agents, officers, investigators, and witnesses named herein. Because this affidavit is made for the limited purpose of establishing probable cause for this search warrant, I have not listed each and every fact known to me concerning this investigation.

**DESCRIPTION OF THE PROPERTY TO BE SEARCHED**

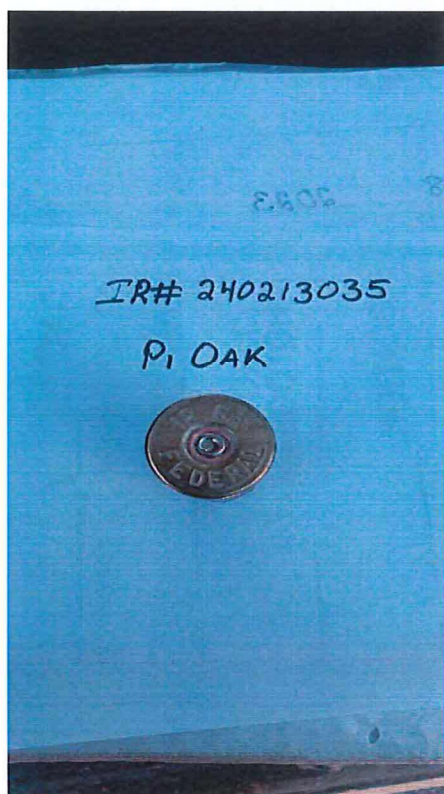
5. The Wanema Garcia residence is a single-story brick residence, located in the Village of Gu Vo, on the Tohono O'odham Nation. The GPS coordinates for the Garcia residence are 32.057640, -112.572610.

**PROBABLE CAUSE STATEMENT**

6. On 02/13/2024, at approximately 0508hrs, Tohono O'odham Police Department (TOPD) received a call for shots fired in the Village Pia Oik, which is located on the Tohono O'odham Nation. The Tohono O'odham Nation is a federally recognized tribe. The caller explained that a vehicle was northbound on FR 1. The vehicle fired towards a house in

the area. A second caller told TOPD that there were casings by her residence. TOPD Officer Ingram recovered one (1) spent shotgun shell casing. The shell casing had a 12 GA Federal head stamp. A photo of the casing is below.

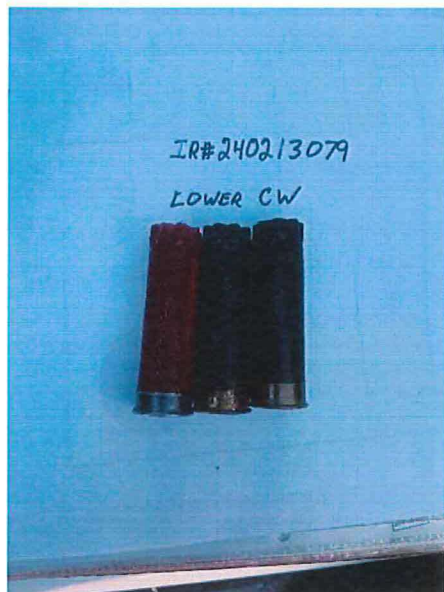
7. Around 0500hrs a TOPD source who lives close to Pia Oik and looked outside his window in the direction of Pia Oik. The source observed a vehicle traveling on the roadway coming from the direction of Pia Oik. The vehicle pulled over and turned off its lights. The vehicle waited for a little and then turned its lights back on and began traveling again in the same direction. The vehicle then pulled into Wanema Garcia's residence. The vehicle was a gray sedan with damage to its rear bumper. The vehicle drove to the back of the residence where the source could not see. The vehicle left the residence approximately an hour later and traveled north. The source was shown a photo of the Oldsmobile Alero from the crash and the source positively identified the vehicle as being the vehicle that arrived at Wanema Garcia's residence. The Wanema Garcia residence is a single-story brick residence, located in the Village of Gu Vo. The GPS coordinates for the Garcia residence are 32.057640, -112.572610.



8. On 02/13/2024, at approximately 0859hrs, an anonymous caller called into TOPD to report that they heard four (4) gun shots, in the area of the Skate Park, at approximately 0200hrs. The Skate Park is located in the area of the Village of Gu Vo. The caller explained they saw taillights of a vehicle headed in the direction of the village.
9. On 02/13/2024, at approximately 0956hrs, TOPD received a call for shots fired in the Village Covered Wells. The area was west of the Catholic church, at the Lopez residence.



The reporting party and homeowner explained she heard shots being fired at her residence at approximately 0700hrs. The caller was notified by her uncle because she was currently in Tucson. A neighbor explained he heard shots around 0700hrs and saw a grey vehicle. Casings were located at the residence and there was damage to the top portion of the residence. The casings were shotgun shell casings with a Peter Remington 12 GA (2, color black) and Made in USA 12 (1, color red) head stamps. A photo of the casings is below.



10. Pia Oik is approximately 8 miles south of Gu Vo and only takes a short time to travel. Gu Vo to Covered Wells is approximately 37 miles and would not take more than 40 minutes to travel at the speed limit. Traveling to the locations utilizes main routes on the reservation and no side streets are needed for the majority of the travel.
11. On 02/13/2024, at approximately 0754hrs, in the area of mile post 140 on State Route 86, is approximately 50 miles from Covered Wells, TOPD attempted to stop a gray 2004 Alero Oldsmobile with temporary registration tag 2006VP, with damage to the rear bumper. The vehicle failed to yield and TOPD began to pursue the vehicle. The vehicle continued east on 86 at a high rate of speed. TOPD stopped pursuit of the vehicle, and the vehicle continued eastbound. TOPD was notified that a vehicle matching the description of the same vehicle they were pursuing had struck a U.S. Border Patrol Agent at the checkpoint. After striking the Border Patrol Agent, the vehicle crashed at the intersection of Ajo and Mission, in Tucson. TOPD Officer Enfonte observed what looked like a sweater on the side of the road, ¼ mile west of the checkpoint State Route 86. The sweater appeared to have just been thrown out. Officer Enfonte collected the sweater and also observed a gray colored sawed off shotgun. Officer Enfonte collected the shotgun. The shotgun was transferred to the FBI, who were on scene at Ajo and Mission. The

shotgun had no serial number and no rounds of ammunition were located within the firearm. A photo of the firearm is below.



12. After the vehicle crashed near Mission and Ajo, the occupants fled the scene. Rafael Juan, date of birth 2005, was observed coming from the vehicle and located nearby. Rafael is the son of Wanema Garcia. J.J. Jr., a juvenile, date of birth 2008, also fled the vehicle and was later located nearby. J.J., Jr. is also the son of Wanema. Wanema arrived on scene and explained to TOPD Sgt. Ortiz that Rafael and James were staying in the house with her other kids and their aunt Lynese Garcia. Lynese is supposed to be taking care Wanema's kids while they are there.

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**CONCLUSION**

13. Based on the above statements, the Affiant believes there is probable cause to search Wanema Garcia's residence for evidence in violation of Assault with a Deadly Weapon.

I swear, under penalty of perjury, that the foregoing is true and correct.

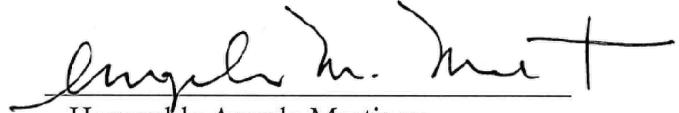
**DANIEL  
DEANTONIO**

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Daniel DeAntonio,  
Special Agent, FBI

Sworn and subscribed to me telephonically this 13th day of February 2024.



Honorable Angela Martinez  
United States Magistrate Judge

ATTACHMENT A

Area to be searched:

The Wanema Garcia residence is a single-story brick residence, located in the Village of Gu Vo, on the Tohono O'odham Nation. The GPS coordinates for the Garcia residence are 32.057640, -112.572610.





ATTACHEMENT B

Items to be Seized:

1. Any and all firearms
2. Any and all ammunition
3. Any and all records or documentation related to firearms and/or ammunition, including but not limited to receipts, documentation, bills of sale, advertisements, or other documents discussing or relating to firearms and/or ammunition.
4. Any and all firearm and ammunition packaging or shipping/mailling containers or packaging.
5. Any documentation concerning registration of firearms.
6. Indicia of ownership and/or use of the gray 2004 Alero Oldsmobile with temporary registration tag 2006VP, including but not limited to, bill of sale, title, registration, insurance documentation, fuel receipts, documentation of traffic/parking violations and any related court dates, parking permits, and parking receipts.
7. Indicia of occupancy, residency, rental and/or ownership of the premises described in the warrant or vehicles located thereon, including but not limited to utility and bills, cancelled envelopes, keys, deeds, purchase and/or lease agreements, land contracts, titles, and vehicle registrations.
8. The opening and search and removal, if necessary, of any safe or locked receptacle or compartment, as all or some of the property heretofore may be maintained inside.